

Jeffrey S. Facter (State Bar No. 123817)
Azadeh Gowharrizi (State Bar No. 239938)
SHEARMAN & STERLING LLP
525 Market Street, Suite 1500
San Francisco, CA 94105-2723
Telephone: (415) 616-1100
Facsimile: (415) 616-1199
Email: jfacter@shearman.com
azadeh.gowharrizi@shearman.com

Attorneys for Defendants David H. McCormick,
Robert M. Calderoni and Ariba Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JONATHAN CROWELL, on plaintiff's own behalf
and on behalf of all others similarly situated,

Plaintiff,

v.

DAVID H. MCCORMICK, ROBERT M.
CALDERONI and Ariba, Inc.,

Defendants.

Case No.: 3:06-CV-05575-MHP

Assigned to Hon. Marilyn Hall Patel

JOINT STIPULATION AND ~~[PROPOSED]~~
ORDER EXTENDING TIME TO RESPOND
TO SECOND AMENDED COMPLAINT

1
2 IT IS HEREBY STIPULATED AND AGREED by and among the parties, subject
3 to the Order of the Court, the following changes in schedule:

4 (1) Defendants shall answer or otherwise respond to the Second Amended
5 Complaint on or before July 20, 2007;

6 (2) If Defendants file motion(s) to dismiss, Plaintiff shall file and serve his
7 opposition memorandum on or before September 7, 2007;

8 (3) Defendants shall file and serve their reply memoranda on or before October
9 5, 2007;

10 (4) The parties shall confer among themselves and with the Court's clerk to set
11 a hearing date for any such motion to dismiss;

12 Dated: July 13, 2007

SHEARMAN & STERLING LLP

13
14
15 By: /s/
Jeffrey S. Facter

16 Attorneys for Defendants David H. McCormick,
17 Robert M. Calderoni and Ariba Inc.

18
19
20 Dated: July 13, 2007

GLANCY BINKOW & GOLDBERG LLP

21
22 By: /s/
23 Peter A. Binkow

24 Lionel Z. Glancy
25 Michael Goldberg
26 Peter A. Binkow
1801 Avenue of the Stars, Suite 311
Los Angeles, CA 90067
27 Telephone: (310) 201-9150
Facsimile: (310) 201-9160

28 KIRBY MCINERNEY & SQUIRE, LLP

Ira M. Press
Mark A. Strauss
830 Third Avenue
New York, NY 10022-3903
Telephone: (212) 371-6600
Facsimile: (212) 751-2540

MURRAY FRANK & SAILER, LLP
Brian Murray
275 Madison Avenue, Suite 801
New York, NY 10016
Telephone: (212) 682-1818
Facsimile: (212) 682-1892

Attorneys for Plaintiff Jonathan Crowell

ORDER

IT IS SO ORDERED.

DATED: July 17, 2007

HONORABLE MARILYN H. PATEL
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

